

REMARKS

I. Formalities

Claims 1-17 and 19-26 remain in the subject patent application. Claims 1, 2, 12, 21, and 23 are amended herein, and claim 18 is canceled. No claims have been added. The amendments to claims 1, 12, and 21 consisted of the addition to those claims of limitations that originally appeared, respectively, in claims 2, 18, and 23. The amendments to claims 2 and 23 consist of the removal of certain parts of those claims that were rendered redundant by the rewriting of claims 1 and 21. Accordingly, Applicants respectfully submit that no new matter is added herein.

II. Response to the 35 U.S.C. §102 Rejections

Claims 1-4 were rejected under 35 U.S.C. §102(e) as being allegedly anticipated by U.S. Patent No. 6,779,765 to Zheng et al. (hereinafter “Zheng”). Claims 1-26 were rejected under 35 U.S.C. §102(b) as being allegedly anticipated by U.S. Patent No. 4,539,516 to Thompson (hereinafter “Thompson”). These rejections are respectfully traversed in view of the claim amendments herein and the remarks made below.

Anticipation requires each element of a claimed invention to be disclosed in a single reference. Disclosure cannot be predicated on teachings in a reference that are vague or based upon conjecture. It is respectfully submitted that silence in a reference is not a proper substitute for an adequate disclosure of facts from which a conclusion of anticipation may justifiably follow. A proper anticipation rejection under 35 U.S.C. §102 requires that each element of a claimed invention be disclosed in a single reference having the same elements, united in the same way, and performing the same function.

A. Remarks Directed to Claim 1 with Reference to Zheng

Claim 1 has been amended herein such that it now incorporates certain limitations that were originally part of claim 2. Specifically, claim 1 now requires that the suction cup comprise a suction pad and a knob attached to the suction pad, where the knob comprises a primary portion and a secondary portion extending from the primary portion. An advantage offered by

the secondary portion and its relationship with the primary portion is explained in the originally-filed application at page 5, lines 8-19.

Zheng shows knobs at 46 and 50 attached to suction cups 20 and 22, but does not show or disclose a secondary portion extending from a primary portion of the knobs. Accordingly, claim 1 is allowable over Zheng, and it is respectfully submitted that the rejection of claim 1 based on Zheng should be withdrawn.

B. Remarks Directed to Claims 2-4 with Reference to Zheng

Dependent claims must be construed to include all of the limitations of the claims from which they depend, as required by 37 C.F.R. 1.75(c) and M.P.E.P. 608.01(n). Therefore, claims 2-4, all of which depend from amended claim 1, are also allowable over Zheng at least because of their dependence from a base claim that is allowable over Zheng. Accordingly, Applicants respectfully request that the rejections based on Zheng of claims 2-4 be withdrawn.

Additionally with respect to claim 3, Zheng discloses an opening 48, but opening 48 does not appear to satisfy the conditions claim 3. As an example, opening 48 does not have a secondary opening coupled to a primary opening, as required by claim 3. Accordingly, claim 3 is also allowable over Zheng for at least this additional reason.

C. Remarks Directed to Claim 1 with Reference to Thompson

As stated above, claim 1 has been amended herein such that it now incorporates certain limitations that were originally part of claim 2. Specifically, claim 1 now requires that the suction cup comprise a suction pad and a knob attached to the suction pad, where the knob comprises a primary portion and a secondary portion extending from the primary portion. As also stated above, an advantage offered by the secondary portion and its relationship with the primary portion is explained in the originally-filed application at page 5, lines 8-19.

Thompson does not show or disclose knobs on a suction cup having a secondary portion extending from a primary portion thereof. Accordingly, claim 1 is allowable over Thompson, and it is respectfully submitted that the rejection of claim 1 based on Thompson should be withdrawn.

D. Remarks Directed to Claims 2-11 with Reference to Thompson

Dependent claims must be construed to include all of the limitations of the claims from which they depend, as required by 37 C.F.R. 1.75(c) and M.P.E.P. 608.01(n). Therefore, claims 2-11, all of which depend from amended claim 1, are also allowable over Thompson at least because of their dependence from a base claim that is allowable over Thompson. Accordingly, Applicants respectfully request that the rejections based on Thompson of claims 2-11 be withdrawn. Furthermore, Thompson does not show or disclose at least one of the requirements of at least each of claims 2-4, 6, and 8-11. Accordingly, claims 2-4, 6, and 8-11 are also allowable over Thompson at least because of that lack of disclosure in Thompson.

E. Remarks Directed to Claim 12 with Reference to Thompson

Claim 12 has been amended herein to require that the suction cup comprise a suction pad, a release tab located at an edge of the suction pad, and a knob attached to the suction pad, and also to require that the knob comprise a primary portion having a depression therein and a secondary portion extending from the primary portion. Thompson fails to show or disclose the stated limitations of amended claim 12. Accordingly, claim 12 is allowable over Thompson, and it is respectfully submitted that the rejection of claim 12 based on Thompson should be withdrawn.

F. Remarks Directed to Claims 13-20 with Reference to Thompson

Dependent claims must be construed to include all of the limitations of the claims from which they depend, as required by 37 C.F.R. 1.75(c) and M.P.E.P. 608.01(n). Therefore, claims 13-20, all of which depend from amended claim 12, are also allowable over Thompson at least because of their dependence from a base claim that is allowable over Thompson. Accordingly, Applicants respectfully request that the rejections based on Thompson of claims 13-20 be withdrawn. Furthermore, Thompson does not show or disclose at least one of the requirements of at least each of claims 13-15, 17, 19, and 20. Accordingly, claims 13-15, 17, 19, and 20 are also allowable over Thompson at least because of that lack of disclosure in Thompson.

G. Remarks Directed to Claim 21 with Reference to Thompson

Claim 21 has been amended herein such that it now incorporates certain limitations that were originally part of claim 23. Specifically, claim 21 now requires that the suction cup comprise a suction pad and a knob attached to the suction pad, where the knob comprises a primary portion and a secondary portion extending from the primary portion. As stated above, an advantage offered by the secondary portion and its relationship with the primary portion is explained in the originally-filed application at page 5, lines 8-19.

As has been explained above, Thompson fails to show or disclose the stated limitations of amended claim 21. Accordingly, claim 21 is allowable over Thompson, and it is respectfully submitted that the rejection of claim 21 based on Thompson should be withdrawn.

H. Remarks Directed to Claims 22-26 with Reference to Thompson

Dependent claims must be construed to include all of the limitations of the claims from which they depend, as required by 37 C.F.R. 1.75(c) and M.P.E.P. 608.01(n). Therefore, claims 22-26, all of which depend from amended claim 21, are also allowable over Thompson at least because of their dependence from a base claim that is allowable over Thompson. Accordingly, Applicants respectfully request that the rejections based on Thompson of claims 22-26 be withdrawn. Furthermore, Thompson does not show or disclose at least one of the requirements of each of claims 22-26. Accordingly, claims 22-26 are also allowable over Thompson at least because of that lack of disclosure in Thompson.

III. Remarks Directed to the Art Made of Record and Not Relied Upon

The art made of record and not relied upon is believed to neither show, disclose, teach, nor suggest the invention that is the subject of the pending application.

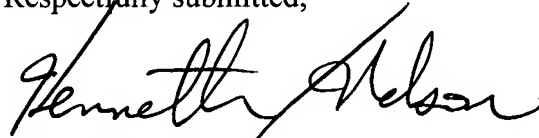
CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. In light of the amendments and remarks set forth above, Applicants respectfully request reconsideration and allowance of all of the pending claims.

No fees are believed to be due in connection with this paper. However, the Commissioner for Patents is hereby authorized to charge any fees necessitated by this Response, or credit any overpayment, to Account No. 02-4467.

If there are matters that can be discussed by telephone to further the prosecution of this application, Applicants invite Examiner Tso to call the undersigned attorney at the Examiner's convenience.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kenneth A. Nelson". The signature is fluid and cursive, with a large initial "K" and a long, sweeping underline.

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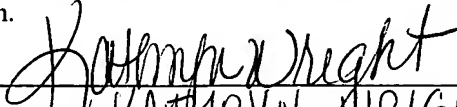
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: _____

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KATHRYN WRIGHT